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much to be regretted that he has not ordinarily ventured any expressions of personal preference as between opposing views. But in some places in the volume there are manifest a defective analysis of subject-matter and an obscure arrangement of sub-topics, which must tend to impair the usefulness of the work for reference purposes. Thus true conflicts of authority are sometimes not clearly noted. For example, under the heading of Adverse Possession, no notice is taken of the conflict of authority on the question whether there is adverse possession when land is held by mistake. Instead there is merely a confusing attempt to distinguish cases which are in reality irreconcilable. See pp. 695 and 696, citing *French v. Pearce*, 8 Conn. 439, and *Grube v. Wells*, 34 Iowa, 148. Another fault of similar character is exemplified under the same topic. Reputation is treated in an apparently contradictory manner, first under "Proof of Open and Adverse Use" and then as a separate heading, and yet the fact of this double treatment is not indicated in either place.

Such minor defects, however, are much more than counterbalanced by many excellent features. The burden of proof is pointed out in all cases and all presumptions are carefully stated. The citations represent almost all jurisdictions, and are supplemented by pregnant quotations from leading cases. References are given not only to the state reports, but also to the National Reporter System and to the American Reports and Decisions. The cross-references are full and clear. The encyclopædia will fill a unique position among the works on Evidence, and can hardly fail to meet with ready appreciation from lawyers.

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A TREATISE ON THE LAW OF BANKS AND BANKING. By John T. Morse, Jr. Fourth edition. By Frank Parsons. Boston : Little, Brown, and Company. 1903. 2 vols. pp. cv, 1-743; 744-1490. 8vo.

Until the publication of the first edition of this work, in 1870, the law of banks and banking had not been developed beyond an unclassified mass of decisions. Mr. Morse's book not only collected the cases and arranged them under appropriate headings, but met the practical needs of bankers as well as lawyers by a concise but adequate statement of principles. The work in each of its three previous editions has been regarded by the courts as the standard authority in its field.

What development there has been in the law since the appearance of the third edition, in 1888, would not perhaps of itself warrant a further revision, especially as there are other later treatises. Nevertheless the fact that the editor has found it desirable to add as many new cases as were cited altogether in the original work, shows that the subject is even now by no means free from uncertainty and consequent litigation. The usefulness of the book has been further increased by the addition of citations to the National Reporter System, and by references to Minor's recent treatise on the "Conflict of Laws." The national banking acts since 1888 have also been added, together with such constructions as the courts have placed upon them. In these additions must be found the chief value of the present revision.

The text proper and the foot-notes remain unchanged, except for comparatively slight additions amounting to eighty-four pages in all in a work of fifteen hundred. As in the earlier editions, an outline of each chapter at its beginning and a complete index of the entire work make the subject-matter readily accessible.

It is perhaps a source of regret that in a work otherwise so complete the editor has not made a closer analysis of some doctrines which, while well established, are difficult to explain upon fundamental principles. The familiar rule, for instance, that a deposit by A in the name of B creates a debt from the bank to B, is dismissed with a bare statement, although, in jurisdictions where the sole beneficiary is not allowed to sue at law, B's right of action seems hard to explain, unless perhaps on the ground that the entry on the books of the bank constitutes an obligation in the nature of a specialty. Where there is a serious

conflict of decision, however, the question at issue is very thoroughly treated, a good example of this being the discussion, covering twenty-five pages, of the responsibility of a bank for the laches of its correspondent bank.

**GERMANY'S CLAIMS UPON GERMAN-AMERICANS IN GERMANY.** A Discussion of German Military and other Laws which may affect German-Americans temporarily in Germany, together with some Comment upon existing Treaties. By Edward W. S. Tingle, formerly United States Consul, Brunswick, Germany. Philadelphia: T. & J. W. Johnson & Co. 1903. pp. xv, 121. 12mo.

This small volume should prove of considerable practical value. No questions arise more frequently or cause consuls of the United States greater trouble than those involving the rights, privileges, obligations, and liabilities of naturalized American citizens who return to their native lands. Though such questions arise in all countries, and would therefore warrant the preparation of a general treatise on the subject, the author has done well to confine himself to the questions that concern German-Americans. By so doing he has been able to give us a very handy pocket volume which both official and layman may conveniently and advantageously carry. At the same time he has omitted little necessary information; for, generally speaking, the questions affecting German-Americans are typical, and certainly because of the strict provisions of German military law they present as many difficulties as are likely to be encountered anywhere.

The plan of the book is good. The author first tells how American citizenship may be acquired; then, how far the German Empire recognizes such citizenship. After this he states the German military requirements and the effect they have on the position of a German-American who returns to the Empire. In Chapter VI. twelve possible cases in which difficulty may arise are put, and an excellent statement of the law applicable to those cases is added. The rest of the work tells what should be done by a German-American in preparation for and after his return to his native country; and also tells what consuls of the United States should do when called upon by naturalized citizens of the United States in difficulty. One chapter is devoted to a discussion of naturalization treaties, their interpretation and effect.

Though the plan is a good one, the execution cannot be so highly praised. The same information is, in several instances, given in different places; and sufficient emphasis is not gained by this repetition to compensate for the resulting confusion.

**A TREATISE ON THE LAW OF THE MEASURE OF DAMAGES FOR PERSONAL INJURIES,** including Suggestions on Pleading, Evidence, and Province of Court and Jury, Applicable to the Trial of this Class of Cases. By George P. Voorheis. Norwalk, Ohio: The Laning Co. 1903. pp. lxxxvi, 577. 8vo.

The tendency towards specialization in the preparation of modern text-books is well illustrated by this work, which is devoted, as the title indicates, to a single branch of the general subject of Damages, hitherto customarily treated as an entirety. The book will prove useful in so far as any treatise on a branch of the law which presents no very grave difficulties can have a field of usefulness. Its most striking characteristic is its completeness. In fact, there are evidences of an effort on the author's part to expand a rather narrow subject so as to fill a volume, the size of which is better adapted to a work of broader scope. So far as this has led to the discussion of questions bearing only collaterally on the measure of damages, the result is an increase in the value of the book. Thus certain disputed rights of action—as, for example, for mere nervous shock and for mental anguish occasioned by delayed telegrams—are